



#40/B  
12-7-01  
**RECEIVED**  
DEC 5 0 2001  
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Art Unit: 1642  
 )  
Etsuro OGATA et al ) Examiner: A. Harris  
 )  
Appln. No.: 09/763,370 ) Washington, D.C.  
 )  
Date Filed: February 21, 2001 ) ATTY.'S DOCKET: OGATA=4  
 )  
For: METHOD OF DIAGNOSING BONE ) December 3, 2001  
METASTASIS OF MALIGNANT... ) **MONDAY**

**REPLY: AMENDMENT AND REMARKS**

Honorable Commissioner for Patents  
Washington, D.C. 20231

Sir:

Replying to the Office Action of June 1, 2001,  
petition for three months' extension of time and late fee  
being attached hereto, please amend as follows:

**IN THE CLAIMS**

Please amend the claims by rewriting the claims in  
amended form as follows (attached hereto is a marked-up  
version of the changes made to the claims by the current  
amendment. The attached version is captioned "Version with  
Markings to Show Changes Made"):

1. (Amended) A method of diagnosing metastasis of  
malignant tumor to bone using both a marker that reflects the  
activity of osteoblasts and a marker that reflects the action  
of osteoclasts, whereby the amelioration of bone metastasis  
or therapeutic effect and the degree of the exacerbation of  
bone metastasis are diagnosed correctly by monitoring said

B1